

FILED

UNITED STATES COURT OF APPEALS

OCT 31 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FEDERATED RURAL ELECTRIC  
INSURANCE CORP,

Plaintiff,

and

TIG INSURANCE COMPANY,

Plaintiff - Appellant,

v.

CERTAIN UNDERWRITERS AT  
LLOYDS, LONDON, and London Market  
Companies, foreign entities,

Defendant,

and

PUBLIC UTILITY DISTRICT NO. 1 OF  
COWLITZ COUNTY, a Washington  
municipal corporation,

Defendant - Appellee.

No. 07-35596

D.C. No. CV-04-05052-RBL  
Western District of Washington,  
Tacoma

ORDER

Before: B. FLETCHER and PAEZ, Circuit Judges, and SCHWARZER,\* District  
Judge.

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\* The Honorable William W Schwarzer, Senior United States District  
Judge for the Northern District of California, sitting by designation.

The panel has voted to deny the petition for panel rehearing. Judge Paez votes to deny the petition for rehearing en banc and Judges B. Fletcher and Schwarzer so recommend.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for panel rehearing and the petition for rehearing en banc are denied.